

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA**

THE CITY OF HUNTINGTON,

Plaintiff,

v.

AMERISOURCEBERGEN DRUG
CORPORATION, et al.,

Defendants.

CABELL COUNTY COMMISSION,

Plaintiff,

v.

AMERISOURCEBERGEN DRUG
CORPORATION, et al.,

Defendants.

Civil Action No. 3:17-01362
Hon. David A. Faber

Civil Action No. 3:17-01665
Hon. David A. Faber

**CARDINAL HEALTH, INC.'S RESPONSE TO
PLAINTIFFS' NOTICE OF "SUPPLEMENTAL AUTHORITY"**

Plaintiffs "Notice of Supplemental Authority" (Dkt. 495-1) is not notice of any "authority" at all. It is a 2017 e-mail chain between employees of a different company, AmerisourceBergen Drug Corporation ("ABDC"), discussing newly filed lawsuits against ABDC. That e-mail has nothing to do with Cardinal Health and is not relevant to Cardinal Health's motion for summary judgment on *res judicata* grounds (Dkt. 216, 220, 252, 285). It certainly is not legal authority bearing on Cardinal Health's motion. The Court therefore should disregard Plaintiffs' submission.

Dated: June 4, 2020

Respectfully submitted,

/s/ Steven R. Ruby

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CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that on this 4th day of June, 2020, the foregoing **“CARDINAL HEALTH, INC.’S RESPONSE TO PLAINTIFFS’ NOTICE OF “SUPPLEMENTAL AUTHORITY”“** was filed electronically via the Court’s CM/ECF electronic filing system which will send notification to all counsel registered in the system.

/s/ Steven R. Ruby

Steven R. Ruby